

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANIEL J KEARNEY,

Plaintiff,

v.

JOHN D SNAZA, et al.,

Defendants.

CASE NO. C13-5383 RJB-JRC

ORDER DENYING PLAINTIFF'S
MOTION TO SERVE DISCOVERY
AND GRANTING PLAINTIFF'S
MOTION ASKING FOR A COPY OF
THE DOCKET SHEET.

The District Court has referred this 42 U.S.C. § 1983 civil rights action to United States Magistrate Judge J. Richard Creatura. The Court's authority for the referral is 28 U.S.C. § 636(b)(1)(A) and (B), and local Magistrate Judge Rules MJR3 and MJR4.

Plaintiff asks the Court to serve discovery on his behalf (ECF No. 30). Plaintiff also asks the Court to send him a copy of the docket sheet showing the filings in this case (ECF No. 31).

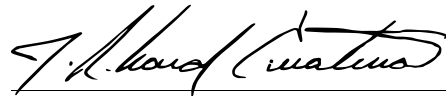
Plaintiff did not serve a copy of either motion on opposing counsel and he argues he cannot do so because the jail will not provide him with copies (ECF No. 30). Plaintiff has pen and paper available to him and could have had written copies of his pleadings. At the start of this

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1 case the Court informed the parties that any request for Court action had to be set forth in a
2 motion that was “properly filed and served” (ECF No. 7). Plaintiff has not been serving copies of
3 his pleadings on opposing counsel. Plaintiff’s motion asking to serve discovery will not be
4 considered because plaintiff doesn’t need a court order to serve discovery. He simply needs to
5 serve it properly. Discovery is not to be filed with the court unless it is being used in a motion or
6 at trial.

7 The Court will however, direct the Clerk’s office to send plaintiff a copy of the docket
8 sheet showing what documents have been filed. The Court is reviewing a large number of
9 documents from plaintiff that the Court received August 7, 2013. The Court will not file these
10 documents and they are under review. The Court will issue an order regarding the August 7,
11 2013 filing separately.

12 Dated this 14th day of August, 2013.

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15 J. Richard Creatura
16 United States Magistrate Judge
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